

June 17, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20445

Dear Ms. Dortch:

I am writing with respect to MB Docket No. 04-160 and to that point, and with regard to expediency, I will try to make my comments brief.

First, I will say that in no way am I afraid of competition. Anyone who knows anything at all about the extreme competitive nature of the radio business is fully aware of how intense our consistent, competitive challenges are.

Second, there seems to be no end to the granting of more FCC construction permits and licenses to those who wish to get into the business of commercial radio broadcasting. Certainly those things occur because – quite simply – that's the way the system works. And that is my point.

As I understand it, in granting licenses for satellite radio, the FCC relied on the PROMISES by XM Radio Inc. ("XM") and Sirius Satellite Radio Inc. ("Sirius") relative to how their service would be NATIONAL-ONLY. That they would provide multiple foreign language programming, senior citizens and children's programming, etc. And, because satellite radio would be national – as they promised – local broadcasters would not be harmed.

Now, however, XM and Sirius have blatantly broken those promises and are launching "localized" traffic and weather services in the top twenty-one markets. It appears clear from the comments they have filed in opposition to the NAB petition that XM and Sirius view the sky as the limit and with technology to continue to "localize" their services they could make their formats virtually indistinguishable from local radio. This is NOT the way the system is supposed to work.

The FCC, in authorizing satellite radio, vowed to protect "vibrant" local broadcasting and promised to take "any necessary action to safeguard the important service that terrestrial radio provides." The time for the FCC to make good on that promise is right now.


Here in Boise with our six radio stations we provide local traffic reports, local weather reports, news and information covering every conceivable issue facing the communities we serve. We continue to invest significant and extensive resources on a day-to-day basis to ensure we are fulfilling our obligations to our listeners and our advertisers.

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In closing, I want to make it very clear that I strongly support the NAB petition. Satellite radio does NOT have public interest limits or ownership limits and they have NO LOCAL investment in ANY communities and should NOT be granted permission to try to mimic what local broadcasters do. Allowing satellite radio to do these kinds of things is – once again - NOT the way the system works.

Thank you.

With best regards,



Terry C. Tario, VP/GM
Clear Channel Communications – Radio

TCT/sjl

CC: File